

REMARKS

This Amendment is in response to the Office Action dated May 11, 2011.

Applicant thanks the Examiner for removing the finality of the prior rejection.

Applicant respectfully requests reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I. REQUEST FOR TELEPHONE INTERVIEW

Applicant requests a telephone interview between the undersigned attorney of record and the Examiner prior to the next action to discuss the present rejections and the amendments proposed herein.

Applicant's attorney was not successful in reaching the Examiner prior to filing the present amendment.

II. CLAIM AMENDMENTS

Applicant notes that the Examiner indicates certain features presented in Applicant's prior arguments are not present in the independent claims. In particular, the Examiner notes that the claimed steps are not chronological and that determination "only after this identification" is not recited in the claims.

Independent claims 19, 25, 26 and 27 are amended to clarify the order of certain steps. In claim 19, the preamble indicates the steps are "successive". In addition, the third step recites that determination is performed "after identification in the second step".

Similar amendments are made to claims 25-27.

Support can be found in paragraphs [0041] to [0048], [0099] to [102] and [0116] to [0123] of U.S. Publication 2008/0107135.

Thus, amended claim 19 underlines the fact that the base station is first identified using a control information transmission signal, and only after this identification, the pattern used by the emitter is determined. The pattern is thus selected thanks to the identifier present in the information signal, and the pilots of this pattern are (only) used for the equalization, for example.

In other words, for example, some pilots are selected beforehand, among all those available, to improve the channel estimate.

III. CLAIM REJECTIONS – U.S.C. §102

Claims 19 -27 were rejected under 35 U.S.C. §102(b), as being allegedly anticipated by LAROIA et al., EP 1148673 (LAROIA).

The Applicant does not agree with rejection of claims 19 to 27 as being anticipated by LAROIA.

The Applicant still considers that the main goal of LAROIA is to permit an identification of the emitting base station, based on the pilot pattern. According to LAROIA, the base station must be identified **using the received pilot pattern** (*« the base station identification problem is for the mobile user unit 503 to estimate the slope $s \in S$, of the strongest received pilot signal »*, paragraph [0020]). Thus, LAROIA implements **first** the pattern determination, **then** the base station identification based on the pattern.

On the contrary, according to the invention recited in Applicant's claim 19, the base station identification is based **on a control information transmission signal, and only after this identification**, the determination (selection) of the pattern used by the base station is implemented (See paragraphs [0099] to [0103] of the U.S. Publication, which specifies that the emitter identification, based on a control information transmission signal is a **preliminary condition** used later for the pattern determination).

Moreover, it should be noticed that the specification of the discussed patent application discloses two embodiments:

- a first embodiment according to which the emitter is firstly identified, then the pattern is identified (paragraphs [0099] to [0102]), and
- a second embodiment according to which the pattern is firstly identified, then the emitter is identified (paragraphs [0103] to [0106]).

However, the pending claims are focused **only on the first embodiment**, presented as the preferred embodiment (paragraphs [0116] to [0123]).

The second embodiment does not use the control information, and corresponds to a different method based on the use of the pattern to identify later the emitting base station.

This difference with respect to LAROIA is emphasized in claim 19 as amended.

Moreover, according to the Applicant, **the use of control information**, disclosed in the paragraphs [0041], [0045], [0048], [0099], [0118] to [0123] of the published application, is not disclosed nor suggested in the document LAROIA.

LAROIA proposes to identify the emitter by identifying its received pattern, whereas the Applicant's approach (as recited in claim 19) is the opposite: the pattern to be used for the decoding in the receiver is selected according to a previous identification of the base station.

More specifically, the present application indicates that:

“In reception, the receiver simply determines the identifier of the emitter of the received signal, using the control information transmission signal. It can then use the generation function that it memorised and deduce the pilot pattern used in the multicarrier signal that it receives, and extract pilots at the appropriate locations in the time - frequency network. These pilots are then used to make an estimate of the transmission channel transfer function.”

As already mentioned, according to the present application, the pattern is selected thanks to the identifier present in the information signal, and the pilots of this pattern are (only) used for the equalization, for example. In other words, some pilots are selected beforehand, among all those available, to improve the channel estimate.

Consequently, LAROIA does not anticipate claim 19 as amended, and to the whole set of claims.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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